

Price's landing; another road the west side of Choptank river, opposite to Denton, to Tuckahoe bridge; another road from the west side of Choptank river, opposite to Denton, to intersect the road from Greensborough to Tuckahoe bridge, at or near the deep branch; a road from Denton down Choptank river, to intersect the road leading from Greensborough to Dover ferry, between Rhode's plantation and the mill commonly called Potter's mill; another road from Denton up Choptank river, to intersect the road from Greensborough to Dover ferry, at or near colonel Matthew Diver's saw-mill; and another road from Denton to intersect the road from Greensborough to Dover ferry, between the old chapel and the three bridges; and the said commissioners, or a majority of them, are hereby directed and empowered to open and lay out the said roads, provided the same be not done without the consent first had and obtained of the several owners respectively, being of full age, and discover, of the lands through which the said roads may pass, or of the guardians or husband of any such owners, who may be within age or under coverture, not exceeding twenty-five feet in width, in such direction and such manner, regarding nevertheless the straightness of the said roads, as they shall think best and most conducive to the public convenience.

"And be it further enacted, by the authority aforesaid, That the said roads, or any of them, when so laid out and opened by the said commissioners as aforesaid, shall, by the said commissioners, or a majority of them, be returned to and laid before the justices of Caroline county court at their next sitting thereafter, and shall be by the said court received and entered upon the records of the said court as public roads of the said county, satisfactory proof being first given them of the consent of the persons respectively through whose lands any part of the said roads may pass having been first obtained before the laying out and opening the same.

"And be it enacted, That the said commissioners, or a majority of them, shall have power and authority to employ such persons as they may think proper to lay out, open and make good, the said roads, and that all the expences that shall be incurred in opening, laying out and making, the said roads, shall be levied on Caroline county, and collected in the same manner as other county levies are imposed and collected, and with the same allowance for the collection thereof; and the sum of money which shall be levied for the purposes aforesaid, shall be paid by the person collecting the same to such of the commissioners as shall be appointed by them to receive the same, to be applied to the purposes aforesaid.

"And be it enacted, That the said commissioners shall, after the completion of the said roads, account with the justices of Caroline county court for the expenditures of all sums of money which shall be paid to them for the purposes aforesaid, and shall pay over any balance that may remain in their hands to the justices of the levy court of the said county, or such person as they shall appoint to receive the same, to be applied towards defraying the county charge of the said county.

"And be it enacted, That if any person, through whose land any part of the said roads shall run, shall be under the age of twenty-one years, such person, within two years after his or her arrival at such age, or in case of his or her death before the expiration of the said two years, his or her heir or representative, within two years from such death, may make application, in writing, to the county court of the said county, praying a compensation for the damages sustained by such road, and thereupon the said court shall issue a warrant to the sheriff of the said county, commanding him to summon seven freeholders of the said county, not related to the party making application as aforesaid, to appear at a certain day on the land through which such road shall run as aforesaid, and the said freeholders, after taking an oath or affirmation, to be administered by the sheriff, well and truly to estimate the damages sustained by the said party by the running of the road as aforesaid, shall proceed to estimate the said damages, and the adjudication of them, or any four of them, shall be final, and the sheriff shall make return of such proceedings, under his hand and the hands of at least four of the said freeholders, to the next county court, which shall be entered of record; and the damages so awarded, with the expences of recording, and all other necessary expences, shall be levied on the said county, and collected in the usual manner, and paid to the person entitled to the same.

"And be it enacted, That the said commissioners, or as many of them as shall consent to act, shall, before they enter upon the duties required of them by this act, enter into a bond of five hundred pounds current money, payable to the state of Maryland, with such security as shall be approved by William Richardson, Esquire, associate justice of Caroline county, conditioned for the faithful expenditure of all money which shall be paid into the hands of said commissioners in consequence of this act; which bond shall be lodged with the clerk of said county, to be by him entered of record; copy of such bond, certified by the said clerk, and authenticated under the seal of his office, shall be received as evidence in any court of law or equity within this state."

Which were read.

And the bill to declare the law in certain cases therein mentioned, with the following message:

BY THE SENATE, DECEMBER 21, 1792.

GENTLEMEN,

THE importance of quieting the landholders of this state in their ancient possessions, induces us to submit the bill for declaring the law in certain cases therein mentioned, to your reconsideration. A majority of the judges of the general court have declared their opinion, that the issue in tail are not barred of their action of ejectment by the statute of limitations, passed in the twenty-first year of the reign of James the first; but this opinion has never passed into a judgment, either in the general court or any other court of this state. It is not necessary to enter into arguments on the true construction of that statute, but we think we may venture to assert, that the general opinion has been that the issue in tail were barred; on the confidence of this opinion, estates have been acquired and transferred from family to family. The introduction, therefore, of new principles at this time, must shake